

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

JASON WILLIAMS,

Plaintiff,

vs.

AT&T MOBILITY LLC,

Defendant.

Case No. 5:19-cv-00475-BO

**AT&T'S MOTION *IN LIMINE* 2 TO EXCLUDE ANY EVIDENCE OF EMOTIONAL
DISTRESS OF PLAINTIFF JASON WILLIAMS OR HIS FAMILY
(MOTION *IN LIMINE* NO. 2)**

Defendant AT&T Mobility LLC ("AT&T") respectfully moves this Court pursuant to Fed. R. Evid. 402 and 403, the laws and precedent of the State of North Carolina, and Local Rules 7.1 and 7.2 for an *In Limine* Order excluding any argument or evidence proffered by Plaintiff Jason Williams ("Mr. Williams") excluding any argument or evidence proffered by Mr. Williams (including both percipient and expert testimony) whether in response to AT&T's Motion for Summary Judgment or Partial Summary Judgment in the alternative, or at trial, if any:

- referring or relating to Mr. Williams' own emotional distress; and
- referring or relating to Mr. Williams' family members' emotional distress.

This Motion is based on this Motion, AT&T's Memorandum of Law in Support of this Motion *In Limine*, as well as the Separate Statement of Undisputed Material Facts, the Declaration of Joseph S. Dowdy in Support of AT&T's Motion for Summary Judgment or Partial Summary Judgment in the Alternative and the Appendix of Exhibits thereto, filed concurrently with this Motion, as well as any reply that may be filed to any response or opposition filed to this Motion, and the complete files and records of this Action as the Court may consider.

AT&T therefore respectfully asks the Court to grant its Motion *In Limine* and enter an Order prohibiting Mr. Williams, his attorneys and any witnesses from offering any argument or evidence:

- referring or relating to Mr. Williams' own emotional distress; and
- referring or relating to Mr. Williams' family members' emotional distress.

Respectfully submitted this 30th day of March 2022.

/s/ Joseph S. Dowdy
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Counsel for Defendant AT&T Mobility LLC

CERTIFICATE OF SERVICE

I hereby certify that on date set out below, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

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This the 30th day of March, 2022.

/s/ Joseph Dowdy

Joseph S. Dowdy